

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: November 17, 2004

Division: Growth Management

Bulk Item: Yes X No

Department: Planning

AGENDA ITEM WORDING: Approval for one Restrictive Covenant from David W. & Carol Ann Tuttle and Peter & Amy Rosasco to have one dwelling unit on contiguous lots described as Lots 32 and 33, Doctors Arm 3rd Addition Section 'A', Big Pine Key.

ITEM BACKGROUND: On May 23, 1997 the Planning Commission approved an allocation award for the applicants listed below provided the applicants Restrictive Covenant is approved by the BOCC. David W. & Carol Ann Tuttle and Peter & Amy Rosasco submitted the Restrictive Covenant to Monroe County. The applicants are receiving a dwelling unit allocation award for the year ending July 13, 2005, have filed the document in accordance with Ordinance No. 47-1999.

PREVIOUS RELEVANT BOARD ACTION: On November 11, 1999, the BOCC adopted Ordinance No. 047-1999. On June 19, 2002 the Board of County Commissioners approved Resolution No. 263-2002 for a Beneficial Use Determination Promulgated by the Special Master.

CONTRACT/AGREEMENT CHANGES: N/A.

STAFF RECOMMENDATION: Approval.

TOTAL COST: X

BUDGETED: Yes N/A No

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No **AMOUNT PER MONTH** N/A **Year**

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:



Timothy J. McGarry, AICP

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM # K-10

M E M O R A N D U M

TO: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director 
DATE: November 17, 2004
RE: Clarification of Agenda Item

Lot Aggregation Restrictive Covenant

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
97-1-0139	David W. & Carol Ann Tuttle and Peter & Amy Rosasco	David W. & Carol Ann Tuttle and Peter & Amy Rosasco	Lots 32 and 33, Doctors Arm 3rd Addition Section 'A', Big Pine Key

Prepared by: Carl E. Schror
Po Box 421214
Summerland Key
Florida 33042

Property Appraiser's Parcel I.D.
(Folio) Numbers(s)
00312571.003300, 00312571.003400

(Space above this line for recording data)

LOT AGGREGATION RESTRICTIVE COVENANT

1. Whereas, David W. Tuttle and Carol Ann Tuttle, Husband and Wife & Peter Rosasco and Amy Rosasco, Husband and Wife, undersigned are the sole owners of the following described real property located in Monroe County, Florida:

Lots: 32 & 33 Block: *
Subdivision: Doctors Arm Subdivision, 3RD Addition Section "A"
Key: Big Pine Key PB: 6-39
Real Estate Numbers: 00312571.003300, 00312571.003400

2. Whereas, this lot Aggregation Restrictive Covenant that restricts the use of the legally described property in order to receive a building permit; and

3. Whereas, the above described parcels were assigned additional points in the Permit Allocation System for building permit number 97-1-0139 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots.

4. Now, Therefore, the undersigned agree as follows:

The above described parcels shall have its density reduced from two dwelling units to one dwelling unit in consideration of a building permit to build a single-family residence; and

The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention of the undersigned by execution and recording of the document that this restriction shall run with the land and shall be forever binding upon the successors in title; and

The covenant is intended to benefit and run in favor of the County of Monroe; and

In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 28th DAY OF October, 2004

WITNESSES TO BOTH:

Tammy J. Slay
Sign & Print Name Tammy J. Slay

E. Sweeney
Sign & Print Name E. Sweeney

WITNESSES TO BOTH:

Tammy J. Slay
Sign & Print Name Tammy J. Slay

Glenn H. Hermal
Sign & Print Name Glenn H. Hermal

OWNERS:

David W. Tuttle
David W. Tuttle

Carol Ann Tuttle
Carol Ann Tuttle

OWNERS:

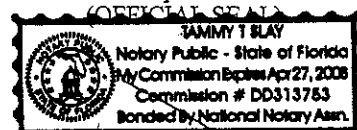
Peter Rosasco
Peter Rosasco

Amy Rosasco
Amy Rosasco

NOTARY:

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 28th day of October, 2004 by David W. Tuttle, Carol Ann Tuttle, Peter Rosasco who personally appeared before me at the time of notarization and who is personally known to me or who has produced as identification, and who (did/did not) take an oath.



Tammy J. Slay
Signature of Notary Public - State of Florida

Personally Known ☒ or Produced Identification
Type of Identification Produced

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM